

Exhibit C

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION**

LA UNIÓN DEL PUEBLO ENTERO,
et al.,

Plaintiffs,

v.

GREGORY W. ABBOTT, et al.,

Defendants.

5:21-cv-844-XR

LULAC TEXAS, et al.,

Plaintiffs,

v.

JANE NELSON, et al.,

Defendants.

1:21-cv-0786-XR

DECLARATION OF GENE LANTZ

I, Gene Lantz, having personal knowledge of the following facts declare as follows:

1. I am the President of the Texas Alliance of Retired Americans (“TARA”). In that role I communicate regularly with chapter presidents, volunteers, and general members through meetings conducted in-person and online, email, and telephone conversations. I also preside over TARA meetings at which TARA policy goals are set and the plans and programming decisions are made for achieving those goals. I also coordinate the efforts of volunteers and our part-time organizer, Judy Bryant.

2. TARA's mission is to ensure the social and economic justice that retired Texans have earned through a lifetime of work. TARA represents over 145,000 Texans who retired from public or private sector union jobs, as well as retirees who have no union affiliation but wish to support TARA's mission. TARA is incorporated in Texas as a 501(c)(4) and is a chartered affiliate of the Alliance for Retired Americans, an organization with over 4.3 million members nationwide.

3. As part of its mission to advocate on behalf of retired Texans, TARA pursues a variety of policy-related goals for retirees, such as ensuring that Medicare provides coverage for all retiree medical needs and that retiree pensions provide cost of living adjustments ("COLA") to keep up with inflation. TARA also seeks to reform federal laws that reduce the Social Security benefits of retirees who have their own pensions or sources of income, known as the Windfall Elimination Provision ("WEP") and the Government Pension Offset ("GPO"). WEP and GPO frequently cut into the Social Security benefits of union retirees who have earned other pensions. TARA also advocates for raises in the minimum wage because many retirees must still work to cover their basic living expenses, and the jobs they fill often pay minimum wage.

4. Protecting the voting and political rights of its members is therefore essential to TARA's mission. As a result, TARA pursues several initiatives to ensure that its members, supporters, and other retirees in Texas can vote and engage with the political process. These initiatives include "Get Out the Vote" (GOTV) activities such as phone banks, sending out mass emails to educate our membership on government policy, and encouraging members to serve as poll workers. TARA's past success at recruiting poll workers has led county election officials to seek TARA's help in filling staffing gaps and shortages.

5. TARA also engages in direct advocacy by lobbying state, local, and federal policymakers for reforms related to issues such as COLA, WEP, GPO, and the minimum wage. In addition to lobbying legislators, TARA members also engage with voters at in-person gatherings

such as community events, conventions, and union retiree meetings where they set up tables and educate voters about issues important to TARA's constituents. Finally, TARA seeks to grow its influence by expanding its membership through presentations to retirees by attending meetings of various social and political groups.

6. The work to help TARA achieve its policy and programming goals is primarily done by chapter leaders and a core group of particularly active general members who team up to take action on the issues we consider to be most important. These leaders and volunteer members are assisted by Ms. Bryant, who receives a small stipend for the time she spends supporting chapters, drafting emails to members, and fielding member questions. Ms. Bryant likewise engages with voters at in-person gatherings where she seeks to educate voters, recruit new members, and promote TARA's policy views, including on any relevant ballot initiatives.

7. Based on my conversations with members and chapter leaders, the provisions of SB 1 that create criminal penalties for poll workers have created a fear of prosecution in members who once enthusiastically served in polling places, which has burdened TARA's efforts to recruit members as poll workers.

8. Because TARA members are wary of serving as poll workers, recruitment has been more time-consuming and less effective for TARA. Prior to SB 1, a single email alerting members to the need for poll workers would lead multiple members to serve. Now, Ms. Bryant must reach out directly by telephone to persuade individuals who she believes might be interested in serving as poll workers. This has required her to dedicate more time to these conversations, discussing the expanded authority that SB 1 confers upon partisan poll-watchers, and persuading members to serve notwithstanding the increased risk of criminal prosecution that may arise from disputes with such poll-watchers.

9. SB 1's poll watcher provisions have also required TARA to reallocate significant amounts of time towards the organization's efforts to recruit poll watchers. Ms. Bryant and I have had to review the laws themselves, read information provided by state and local agencies regarding the laws, search for and read news reports, and confer with legal counsel. In November of 2022, TARA delivered through our attorneys a letter addressed to the Secretary of State asking that he provide information "on what conduct is prohibited" by the poll watcher provisions because "[s]everal Alliance members in Texas regularly serve as Election Day workers in Texas." As we explained in that letter, we must share such information with these members "so they can avoid any potential criminal liability."

10. TARA has also devoted time and resources to educating voters about the increased power of poll watchers to ensure that members are not surprised by aggressive poll watching, which TARA worries might intimidate voters and prevent them from voting. TARA's efforts have included discussing poll watchers with members during meetings and webinars and fielding questions about potential conflicts with poll watchers. To address the fears expressed by members, Ms. Bryant and I—along with chapter leaders and several volunteer members—have devoted time to researching the poll watcher provisions and educating members about what they mean for their voting experience.

11. The ban on advocating in the presence of a ballot has also hampered TARA's ability to pursue its mission because it has severely limited effective channels of speech and has forced TARA to divert resources to finding alternative means of communicating with members and voters. For example, this November Texans will vote on a constitutional amendment allowing COLA for retired Texas educators. Legislators passed this cost of living increase for retired educators during this past session, but Texas voters must approve a constitutional amendment authorizing the spending. This issue is incredibly important to TARA and its members—this sort

of retiree-focused policy is at the heart of our mission. As a result, TARA's leadership and core group of volunteers are actively planning how to promote passage of the amendment, including by encouraging members and other retirees to vote for the measure.

12. Ms. Bryant, TARA's paid part-time organizer, would ordinarily be expected to engage directly with potential voters on this issue whenever she attends in-person events, such as community gatherings, conventions, and union retiree meetings. But given the risk that prospective voters may have their ballot present, particularly as the November election approaches, Ms. Bryant and other TARA volunteers must refrain from engaging with these individuals in person. SB 1 has thus limited TARA's ability to effectively speak and advocate on issues directly related to its mission.

13. Because TARA does not wish to expose Ms. Bryant or any other volunteer to potential criminal liability, TARA must develop alternative methods for communicating with members and voters once ballots have been distributed—a critical time when voters' attention is increasingly focused on election issues. Being able to directly interact with voters when the ballot is available is critical, particularly when the issues on the ballot cannot draw the same sustained attention as a presidential race, for instance.

14. TARA's operations depend on a small group of leaders and core volunteers, and a limited budget. Because of the need to devote greater resources to recruiting poll workers and educating members about poll watchers and the restrictions on assistance, TARA has been unable to devote as many resources, especially volunteer time, to other efforts central to TARA's mission.

15. For example, TARA had planned to lobby the state's federal legislative delegation for WEP and GPO reform by increasing advocacy for these reforms and launching a campaign to encourage members to call their legislators to ask for their support on WEP and GPO issues. In addition to lobbying federal legislators for these reforms, TARA had also planned to work

alongside labor organizations to lobby state lawmakers for a raise in the minimum raise. Traditionally Ms. Bryant and TARA's core group of most active volunteers would have taken on the work of drafting model scripts, communicating with chapter presidents, providing contact information for legislative offices, creating educational material to share with members, making educational presentations to members, and sending out related educational member emails for these state and federal lobbying efforts.

16. With the introduction of SB 1, however, all these plans were put on hold, and the efforts of the Committee and Ms. Bryant were redirected almost exclusively to mitigating the impacts of various provisions of SB 1 by educating members about the new restrictions and encouraging members to serve their communities as poll workers. These efforts have included researching the restrictions and requirements imposed by SB 1, drafting educational material, hosting live webinars, and attending virtual and in-person meetings. TARA, which has limited resources and only part-time staff, has not yet been able to resume its efforts on advocacy issues related to GPO, WEP, and the minimum wage.

17. And even though TARA has resumed in-person events, neither I nor Ms. Bryant have been able to fully resume our efforts to grow the organization by speaking to groups of seniors and other retirees. These events are important not only for recruiting new members, but also to identify and connect with individuals who support our mission. Since SB 1 was enacted, we have not had sufficient time to identify opportunities for growth, such as newly built retirement communities, or to give presentations as we often did before SB 1. Our committed core group of active volunteer members are typically our best ambassadors as many are active in groups throughout their community, but we have not been able to create educational material about TARA, its mission, and how people can join the organization, as the Committee's efforts have been devoted primarily to addressing SB 1's impact on TARA's mission, as described above.

I certify under penalty of perjury that the foregoing is true and correct.

Executed June 23, 2023.

Signed Gene Lantz

Gene Lantz
President,
Texas Alliance of Retired Americans